

Applicants: Francis G. Fang and Shiping Xie
Serial No.: 09/903,101
Filed : July 11, 2001
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Remarks

Claims 2 and 4 were pending in the subject application. Applicants have by this Amendment, added new claim 5 and amended claims 2 and 4. Thus, amended claims 2 and 4 and new claim 5 are currently pending in the subject application.

Support for new claim 5 can be found *inter alia* in the specification, as originally filed, on page 10, first paragraph, and page 3, line 2 to end of page 5.

Restriction/Election

On page 2 of the September 5, 2002 Office Action, the Examiner alleged that applicants' Response to May 8, 2002 Restriction Requirement is not fully responsive. The Examiner stated that the May 8, 2002 Communication, a copy of which is attached hereto as **Exhibit A**, was an election requirement, while applicants' response treated the May 8, 2002 Communication as a Restriction Requirement consisting of three groups. The Examiner also alleged that the restriction consisting of three groups was not set forth by the Examiner. The Examiner further requested election of a species exemplified in the specification in response to this Communication.

In response, applicants admit to some confusion. The May 8, 2002 Communication specifically stated in the fourth line of page 2 that "a modification to the restriction" was being made and proceeded to list three (3) groups as opposed to there being only two (2) groups in the September 25, 2001 Restriction Requirement it was presumably modifying. Within each of the three groups, the May 8, 2002 Communication also required an election of species. On page 3, line 8, the May 2002 Communication cited 37 C.F.R. §1.143 in support of the "requirement." 37 C.F.R. §1.143

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clearly refers to a "requirement for restriction." Finally, also on page 3, lines 9-10 of the May 8, 2002 Communication, the Examiner referred to a "non-elected invention," which term is properly used in a restriction, not an election of species context. Based on their understanding that the May 8, 2002 Communication was a restriction requirement, applicants filed their June 7, 2002 response.

In response to the election of species request, applicants elect the compound of Example 3 on pages 15 - 16 of the specification for the purposes of initiating examination. Applicants point out that the compound of Example 3 is being claimed only as part of a generic claim 2.

However, applicants respectfully request a shift from the invention of claim 2 to the invention of new claim 5 pursuant to M.P.E.P. §819.01. A shift may be permitted "where the shift results in no additional work or expense, and particularly where the shift reduces work by simplifying the issues." M.P.E.P. §819.01. In the instant situation, the requested shift clearly results in no additional work or expense because a search has not yet been performed.

Moreover, applicants point out that their election of claim 2 has not yet become fixed. According to M.P.E.P. §818.01, an election becomes fixed only when "the claims in an application have received an action on their merits." Because an action on the merits has not been issued, applicants' election has not yet been "fixed" and this requested shift should be granted.

Yet furthermore, 37 C.F.R. §1.115 explicitly authorizes the entry of a preliminary amendment filed before the first action on the merits. A first action on the merits has not been issued as of

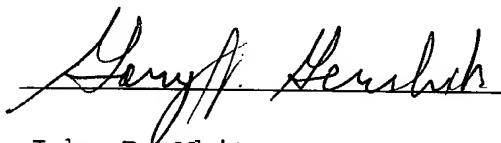
Applicants: Francis G. Fang and Shiping Xie
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this request. Thus, if the shift requested herein is not granted, applicants alternatively request that this communication be considered to be a preliminary amendment pursuant to 37 C.F.R. §1.115 requesting cancellation of claims 2 and 4, and examination of new claim 5.

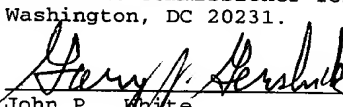
If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee is deemed necessary in connection with the filing of this Amendment and Response to Restriction Requirement. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

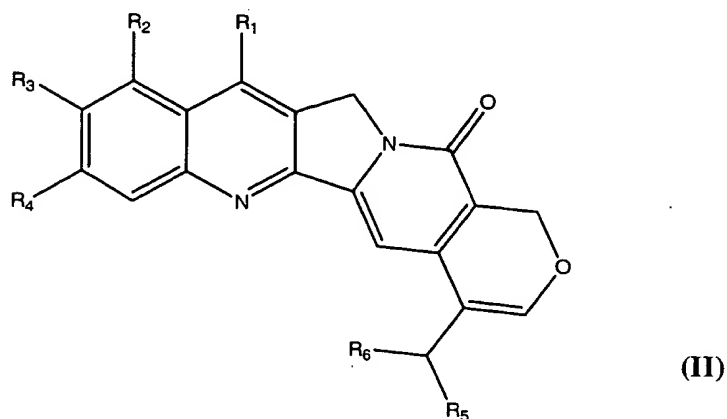


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| | |
|---|---------|
| I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents Washington, DC 20231. | |
|  | 10/7/02 |
| John P. White | Date |
| Reg. No. 28,678 | |
| Gary J. Gershik | |
| Reg. No. 39,992 | |

Marked-Up Claim

2. (Twice amended) A compound of Formula (II):



wherein:

~~R₁ is selected from hydrogen, lower alkyl, (C₃₋₇)cycloalkyl, (C₃₋₇)cycloalkyl lower alkyl, lower alkenyl, hydroxy lower alkyl, or alkoxy alkyl;~~

~~R₁ and R₂ is selected from hydrogen, lower alkyl, (C₃₋₇)cycloalkyl, (C₃₋₇)cycloalkyl lower alkyl, lower alkenyl, hydroxy lower alkyl, or alkoxy alkyl, or (–CH₂NR₇R₈), wherein:~~

i) ~~R₇ and R₈, which may be the same or different, are independently selected from hydrogen, lower alkyl, (C₃₋₇) cycloalkyl, (C₃₋₇) cycloalkyl lower alkyl, lower alkenyl, hydroxy lower alkyl, or lower alkoxy lower alkyl; or~~

ii) ~~R₇ represents hydrogen, lower alkyl, (C₃₋₇)cycloalkyl, (C₃₋₇) cycloalkyl lower alkyl, lower alkenyl, hydroxy lower alkyl, or lower alkoxy lower alkyl, and R₈ represents –COR₉,~~

wherein:

~~R₉ represents hydrogen, lower alkyl, perhalo-lower alkyl, (C₃₋₇)cycloalkyl, (C₃₋₇) cycloalkyl lower alkyl, lower alkenyl, hydroxy lower alkyl, lower alkoxy, lower alkoxy lower alkyl; or~~

(C₁-C₈)

iii) R₇ represents hydrogen or ~~lower~~ alkyl; and R₈ represents diphenyl-methyl or -
(CH₂)_t Ar

wherein:

t is 0 to 5 and Ar represents phenyl, furyl, pyridyl, N-methylpyrrolyl,
imidazolyl optionally substituted with one or more substituents selected
from hydroxy, methyl, halogen, and amino; or

iv) R₇ and R₈ taken together with the linking nitrogen form a saturated 3 to 7 atom
heterocyclic group of formula (IA)



wherein:

Y represents O, S, SO, SO₂, CH₂ or NR₁₀,

wherein:

(C₁-C₈)

(C₁-C₈)

R₁₀ represents hydrogen, ~~lower~~ alkyl, perhalo ~~lower~~ alkyl, aryl, aryl
substituted with one or more substituents selected from ~~lower~~ ^(C₁-C₈)
alkyl, lower alkoxy, halogen, nitro, amino, ~~lower~~ ^(C₁-C₈) alkyl amino,
perhalo-~~lower~~ ^(C₁-C₈) alkyl, hydroxy ~~lower~~ ^(C₁-C₈) alkyl, lower alkoxy ~~lower~~ ^(C₁-C₈) alkyl
groups or - COR₁₁,

wherein:

(C₁-C₈)

(C₁-C₈)

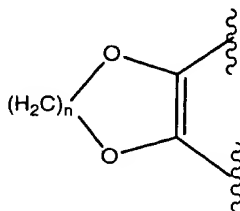
R₁₁ represents hydrogen, ~~lower~~ alkyl, perhalo-~~lower~~ ^(C₁-C₈)
alkyl, lower alkoxy, aryl, aryl substituted with one
or more substituents selected from ~~lower~~ ^(C₁-C₈) alkyl,
perhalo-~~lower~~ ^(C₁-C₈) alkyl, hydroxy ~~lower~~ ^(C₁-C₈) alkyl, lower
alkoxy ~~lower~~ ^(C₁-C₈) alkyl groups;

(C₁-C₈)

R₃ and R₄ are independently selected from hydrogen, ~~lower~~ alkyl, (C₃₋₇)cycloalkyl, (C₃₋₇)

(C₁-C₈)
 cycloalkyl lower alkyl, lower alkenyl, hydroxy lower alkyl, or alkoxy alkyl; or

R₃ and R₄ taken together form a saturated 5 to 6 atom heterocyclic group of formula (IB)



(IB)

wherein,

n represents the integer 1 or 2; or

R₃ represents -OCONR₁₂R₁₃,

wherein,

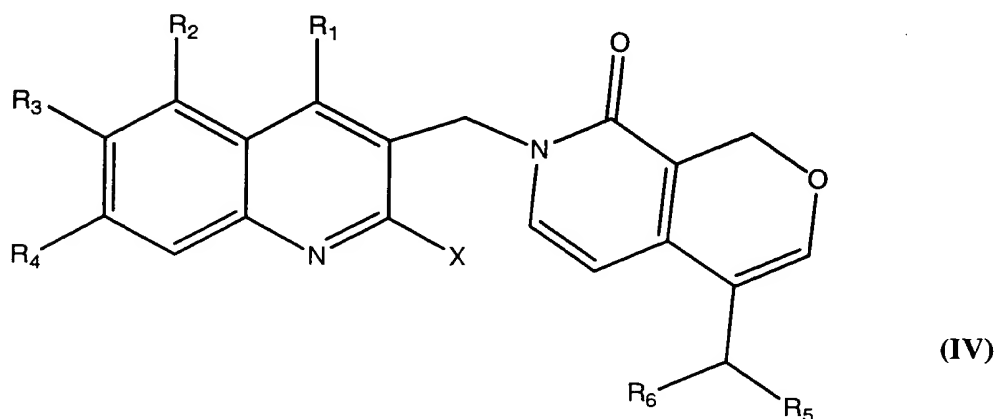
R₁₂ and R₁₃, which may be the same or different, are independently selected from hydrogen, a substituted or unsubstituted alkyl group with 1-4 carbon atoms or a substituted or unsubstituted carbocyclic or heterocyclic group, with the proviso that when both or R₁₂ and R₁₃ are substituted or unsubstituted alkyl groups, they may be combined together with the nitrogen atom, to which they are bonded, to form a heterocyclic ring which may be interrupted with -O-, -S- and/or -N-R₁₄ in which R₁₄ is hydrogen, a substituted or unsubstituted alkyl group with 1-4 carbon atoms or a substituted or unsubstituted phenyl group;

R₅ represents hydrogen or alkyl; and

R₆ represents hydrogen or alkyl,

or a pharmaceutically acceptable salt thereof.

4. (Amended) A compound of formula (IV):



wherein:

X represents triflate or halo;

R₁ and R₂, which may be the same or different, are independently selected from hydrogen, ^(C₁-C₈) ~~lower~~ alkyl, (C₃₋₇)cycloalkyl, (C₃₋₇)cycloalkyl ^(C₁-C₈) ~~lower~~ alkyl, lower alkenyl, hydroxy ^(C₁-C₃) ~~lower~~ alkyl, or alkoxy alkyl, or (-CH₂NR₇R₈), wherein:

i) R₇ and R₈, which may be the same or different, are independently selected from hydrogen, ^(C₁-C₈) ~~lower~~ alkyl, (C₃₋₇) cycloalkyl, (C₃₋₇) cycloalkyl ^(C₁-C₈) ~~lower~~ alkyl, lower alkenyl, hydroxy ^(C₁-C₃) ~~lower~~ alkyl, or lower alkoxy ^(C₁-C₈) ~~lower~~ alkyl; or

ii) R₇ represents hydrogen, ^(C₁-C₈) ~~lower~~ alkyl, (C₃₋₇)cycloalkyl, (C₃₋₇) cycloalkyl ^(C₁-C₈) ~~lower~~ alkyl, lower alkenyl, hydroxy ^(C₁-C₃) ~~lower~~ alkyl, or lower alkoxy ^(C₁-C₈) ~~lower~~ alkyl, and R₈ represents -COR₉,

wherein:

R₉ represents hydrogen, ^(C₁-C₈) ~~lower~~ alkyl, perhalo-^(C₁-C₈) ~~lower~~ alkyl, (C₃₋₇)cycloalkyl, ^(C₁-C₈) ~~lower~~ alkyl, lower alkenyl, hydroxy ^(C₁-C₃) ~~lower~~ alkyl, lower alkoxy, lower alkoxy ^(C₁-C₈) ~~lower~~ alkyl; or

iii) R_7 represents hydrogen or ⁽¹⁻⁸⁾lower alkyl; and R_8 represents diphenyl-methyl or -
(CH₂)_t Ar

wherein:

t is 0 to 5 and Ar represents phenyl, furyl, pyridyl, N-methylpyrrolyl, imidazolyl optionally substituted with one or more substituents selected from hydroxy, methyl, halogen, and amino; or

iv) R_7 and R_8 taken together with the linking nitrogen form a saturated 3 to 7 atom heterocyclic group of formula (IA)



wherein:

Y represents O, S, SO, SO₂, CH₂ or NR₁₀,

wherein:

R_{10} represents hydrogen, ⁽¹⁻⁸⁾lower alkyl, perhalo ⁽¹⁻⁸⁾lower alkyl, aryl, aryl substituted with one or more substituents selected from ⁽¹⁻⁸⁾lower alkyl, lower alkoxy, halogen, nitro, amino, ⁽¹⁻⁸⁾lower alkyl amino, perhalo-⁽¹⁻⁸⁾lower alkyl, hydroxy ⁽¹⁻⁸⁾lower alkyl, lower alkoxy ⁽¹⁻⁸⁾lower alkyl groups or -COR₁₁,

wherein:

R_{11} represents hydrogen, ⁽¹⁻⁸⁾lower alkyl, perhalo-⁽¹⁻⁸⁾lower alkyl, lower alkoxy, aryl, aryl substituted with one or more substituents selected from ⁽¹⁻⁸⁾lower alkyl, perhalo-⁽¹⁻⁸⁾lower alkyl, hydroxy ⁽¹⁻⁸⁾lower alkyl, lower alkoxy ⁽¹⁻⁸⁾lower alkyl groups;

R_3 represents -OCONR₁₂R₁₃,

wherein,

R_{12} and R_{13} , which may be the same or different, are independently selected from hydrogen, a substituted or unsubstituted alkyl group with 1-4 carbon atoms or a substituted or unsubstituted carbocyclic or heterocyclic group, with the proviso that when both R_{12} and R_{13} are substituted or unsubstituted alkyl groups, they may be combined together with the nitrogen atom, to which they are bonded, to form a heterocyclic ring which may be interrupted with $-O-$, $-S-$ and/or $-N-R_{14}$ in which R_{14} is hydrogen, a substituted or unsubstituted alkyl group with 1-4 carbon atoms or a substituted or unsubstituted phenyl group;

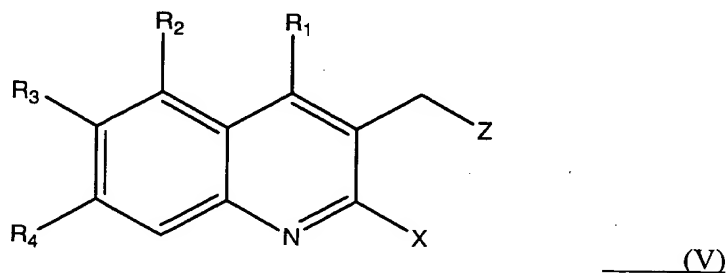
R_4 is selected from hydrogen, ⁽¹⁻⁸⁾lower alkyl, ⁽¹⁻⁸⁾(C_{3-7})cycloalkyl, ⁽¹⁻⁸⁾(C_{3-7}) cycloalkyl ⁽¹⁻⁸⁾lower alkyl, lower alkenyl, hydroxy ⁽¹⁻⁸⁾lower alkyl, or alkoxy alkyl;

R_5 represents hydrogen or alkyl; and

R_6 represents hydrogen or alkyl,

or a pharmaceutically acceptable salt thereof.

5. (New) A compound of Formula (V):



wherein:

R₁ and R₂ is selected from hydrogen, (C₁-C₈) alkyl, (C₃₋₇)cycloalkyl, (C₃₋₇)cycloalkyl (C₁-C₈) alkyl, lower alkenyl, hydroxy (C₁-C₈) alkyl, or alkoxy alkyl, or (-CH₂NR₇R₈),

wherein:

i) R₇ and R₈, which may be the same or different, are independently selected from hydrogen, (C₁-C₈) alkyl, (C₃₋₇) cycloalkyl, (C₃₋₇) cycloalkyl (C₁-C₈) alkyl, lower alkenyl, hydroxy (C₁-C₈) alkyl, or lower alkoxy (C₁-C₈) alkyl; or

ii) R₇ represents hydrogen, (C₁-C₈) alkyl, (C₃₋₇)cycloalkyl, (C₃₋₇) cycloalkyl (C₁-C₈) alkyl, lower alkenyl, hydroxy (C₁-C₈) alkyl, or lower alkoxy (C₁-C₈) alkyl, and R₈ represents -COR₉,

wherein:

R₉ represents hydrogen, (C₁-C₈) alkyl, perhalo-(C₁-C₈) alkyl, (C₃₋₇)cycloalkyl, (C₃₋₇) cycloalkyl (C₁-C₈) alkyl, lower alkenyl, hydroxy (C₁-C₈) alkyl, lower alkoxy, lower alkoxy (C₁-C₈) alkyl; or

iii) R₇ represents hydrogen or (C₁-C₈) alkyl; and R₈ represents diphenyl-methyl or -(CH₂)_t Ar

wherein:

t is 0 to 5 and Ar represents phenyl, furyl, pyridyl, N-methylpyrrolyl, imidazolyl optionally substituted with one or more substituents selected

from hydroxy, methyl, halogen, and amino; or

iv) R_7 and R_8 taken together with the linking nitrogen form a saturated 3 to 7 atom heterocyclic group of formula (IA)



wherein:

Y represents O, S, SO, SO₂, CH₂ or NR₁₀;

wherein:

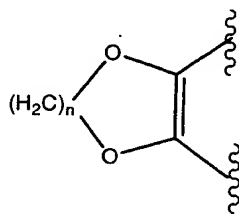
R_{10} represents hydrogen, (C₁-C₈) alkyl, perhalo (C₁-C₈) alkyl, aryl, aryl substituted with one or more substituents selected from (C₁-C₈) alkyl, lower alkoxy, halogen, nitro, amino, (C₁-C₈) alkyl amino, perhalo-(C₁-C₈) alkyl, hydroxy (C₁-C₈) alkyl, lower alkoxy (C₁-C₈) alkyl groups or -COR₁₁;

wherein:

R_{11} represents hydrogen, (C₁-C₈) alkyl, perhalo-(C₁-C₈) alkyl, lower alkoxy, aryl, aryl substituted with one or more substituents selected from (C₁-C₈) alkyl, perhalo-(C₁-C₈) alkyl, hydroxy (C₁-C₈) alkyl, lower alkoxy (C₁-C₈) alkyl groups;

R_3 and R_4 are independently selected from hydrogen, (C₁-C₈) alkyl, (C₃₋₇) cycloalkyl, (C₃₋₇) cycloalkyl (C₁-C₈) alkyl, lower alkenyl, hydroxy (C₁-C₈) alkyl, or alkoxy alkyl; or

R_3 and R_4 taken together form a saturated 5 to 6 atom heterocyclic group of formula (IB)



_____(IB)

wherein,

n represents the integer 1 or 2; or

R₃ represents -OCONR₁₂R₁₃;

wherein,

R₁₂ and R₁₃, which may be the same or different, are independently selected from hydrogen, a substituted or unsubstituted alkyl group with 1-4 carbon atoms or a substituted or unsubstituted carbocyclic or heterocyclic group, or R₁₂ and R₁₃ together with the nitrogen atom to which they are bonded form a heterocyclic ring which may be interrupted with -O-, -S- and/or -N-R₁₄ in which R₁₄ is hydrogen, a substituted or unsubstituted alkyl group with 1-4 carbon atoms or a substituted or unsubstituted phenyl group;

R₅ represents hydrogen or alkyl; and

R₆ represents hydrogen or alkyl,

or a pharmaceutically acceptable salt thereof;

X represents triflate, chloro-, bromo-, or iodo-; and

Z represents chloro-, bromo-, iodo- or OR₁₅;

wherein R₁₅ represents hydrogen, triflate, mesylate or tosylate.



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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/903,101 | 07/11/2001 | Francis Gerard Fang | GI2129.US2D | 2707 |

7590 . 05/08/2002
Mark L. Bosse
Gilead Sciences, Inc.
333 Lakeside Drive
Foster City, CA 94404

EXAMINER

WRIGHT, SONYA N

ART UNIT PAPER NUMBER

1626

DATE MAILED: 05/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Applicants received this action on May 3, 2002

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final. MAY 17 2002
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application. 1m. 6. 8. 02
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration. 2m. 7. 8. 02
- 5) ☐ Claim(s) _____ is/are allowed. 3m. 8. 8. 02
- 6) ☐ Claim(s) _____ is/are rejected. 4m. 9. 8. 02
- 7) ☐ Claim(s) _____ is/are objected to. 5m. 10. 8. 02
- 8) ☒ Claim(s) 1-3 are subject to restriction and/or election requirement. 6m. 11. 8. 02 A?

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claims 1-3 are pending in this application.

Applicant's election with traverse of Group I in Paper No. 5 filed 3-16-02 is acknowledged.

Based on Applicants traversal, a modification to the restriction was made as following:

Group I, claim 1, drawn to a process of preparing compounds of formula I from formula II. If this group is elected, further election of a single disclosed species to be made by the process is also required.

Group II, claim 3, drawn to compounds. If this group is elected, further election of a single disclosed species is also required.

Group III, claim 2, drawn to compounds which are not encompassed by claim 3. If this group is elected, further election of a single disclosed species is also required.

Should Applicant traverse on the ground that the species are not patentably distinct, Applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention. Were Applicant to argue that the Groups are not distinct, there could be no patentability of any claim over Comins et al., AN 1993:169399,

compound IV. Compound IV in Comins et al. is a tautomer of the instant compounds, therefore, it can be used as a 103 reference.

Upon the election of a single disclosed species, a generic concept inclusive of the elected species will be identified by the examiner for examination along with the elected species.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

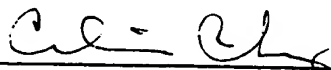
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sonya Wright, whose telephone number is (703) 308-4539. The examiner can normally be reached on Monday-Friday from 7:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Joseph K. McKane, can be reached at (703) 308-4537. The Unofficial fax phone number for this Group is (703) 308-7921. The Official fax phone numbers for this Group are (703) 308-4556 or 305-3592.

When filing a FAX in Technology Center 1600, please indicate in the Header (upper right) "Official" for papers that are to be entered into the file, and "Unofficial" for draft documents and other communications with the PTO that are not for entry into the file of the application. This will expedite processing of your papers.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [joseph.mckane@uspto.gov]. All Internet e-mail communications will be made of record in the application file. PTO employees will not communicate with applicant via Internet e-mail where sensitive data will be exchanged or where there exists a possibility that sensitive data could be identified unless there is of record an express waiver of the confidentiality requirements under 35 U.S.C. 122 by the applicant. See the Interim Internet Usage Policy published by the Patent and Trademark Office Official Gazette on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist, whose telephone number is (703) 308-1235.



Celia Chang

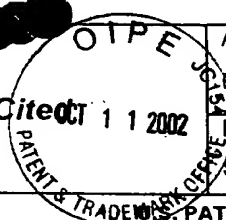
Primary Examiner

Group 1600

Sonya Wright

May 3, 2002

Notice of References Cited



Application/Control No.

09/903,101

Examiner

Sonya Wright

Applicant(s)/Patent Under
Reexamination
FANG ET AL.

Art Unit

1626

Page 1 of 1

U.S. PATENT DOCUMENTS

| | Document Number Country Code-Number-Kind Code | Date MM-YYYY | Name | Classification |
|---|--|-----------------|------|----------------|
| A | US- | | | |
| B | US- | | | |
| C | US- | | | |
| D | US- | | | |
| E | US- | | | |
| F | US- | | | |
| G | US- | | | |
| H | US- | | | |
| I | US- | | | |
| J | US- | | | |
| K | US- | | | |
| L | US- | | | |
| M | US- | | | |

FOREIGN PATENT DOCUMENTS

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| N | | | | | |
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NON-PATENT DOCUMENTS

Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)

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| U | STN International CAPLUS Database, AN 1993:169399 (1992) |
| V | |
| W | |
| X | |

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